



PLANNING COMMISSION SYNOPSIS

Monday, June 6, 2005

6:00 p.m. Regular & General Plan Meeting
Council Chambers, Room 205, City Hall

801 North First Street
San Jose, California

Bob Levy, Chair
Bob Dhillon, Vice-Chair

Xavier Campos Jay James
Dang T. Pham
Christopher Platten James Zito

Stephen M. Haase, Director
Planning, Building and Code Enforcement

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good evening, my name is **Bob Levy** and I am the Chair of the Planning Commission. On behalf of the entire Planning Commission, I would like to welcome you to the Planning Commission Public Hearing of **Monday, June 6, 2005**. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located on the table by the door or at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for this hearing is as follows:

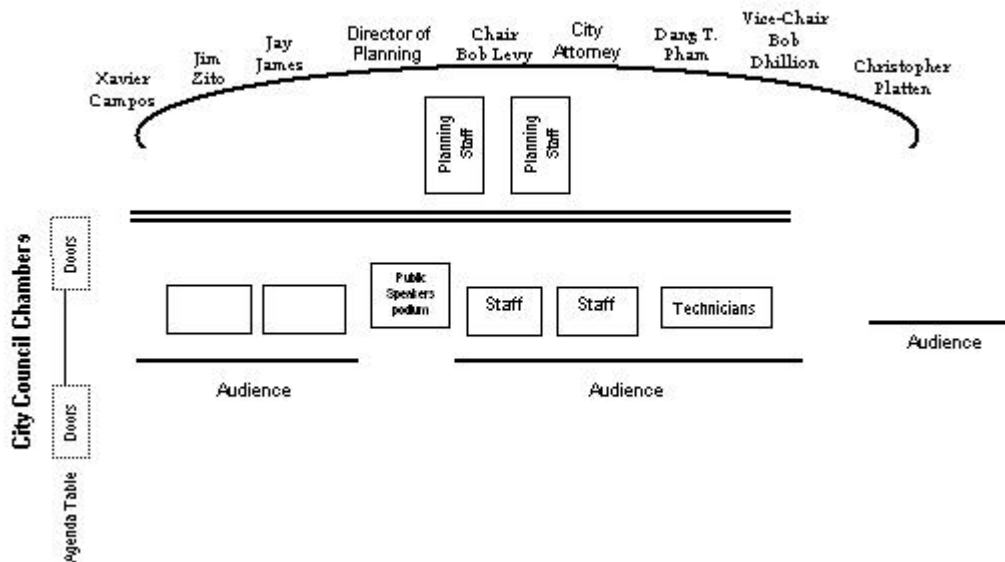
- After the staff report, applicants and appellants may make a 5-minute presentation.
- The chair will call out names on the submitted speaker cards in the order received.
- As your name is called, line up in front of the microphone at the front of the Chamber. Each speaker will have two minutes.
- After the public testimony, the applicant and appellant may make closing remarks for an additional five minutes.
- Planning Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The public hearing will then be closed and the Planning Commission will take action on the item. The Planning Commission may request staff to respond to the public testimony, ask staff questions, and discuss the item.

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Commission's action on rezoning, prezonings, General Plan Amendments and Code Amendments is advisory only to the City Council. The City Council will hold public hearings on these items. Section 20.120.400 of the Municipal Code provides the procedures for legal protests to the City Council on rezonings and prezonings. The Planning Commission's action on Conditional Use Permit's is appealable to the City Council in accordance with Section 20.100.220 of the Municipal Code. Agendas and a binder of all staff reports have been placed on the table near the door for your convenience.

Note: If you have any agenda questions, please contact Olga Guzman at olga.guzman@sanjoseca.gov

The Planning Commission is a seven member body, appointed by the City Council, which makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, and regulation of the future physical land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs. The recommendations to the Council regarding land use development regulations include, but are not limited to, zoning and subdivision recommendations. The Commission may make the ultimate decision on Conditional Use Permits, and acts as an appellate body for those persons dissatisfied with the Planning Director's decisions on land use and development matters. The Commission certifies the adequacy of Environmental Impact Reports.



The San Jose Planning Commission generally meets every 2nd and 4th Wednesday at 6 p.m., unless otherwise noted. The remaining meeting schedule is attached to this agenda and the annual schedule is posted on the web at <http://www.sanjoseca.gov/planning/hearings/index.htm> Staff reports, etc. are also available on-line. If you have any questions, please direct them to the Planning staff at (408) 277-4576. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

AGENDA
ORDER OF BUSINESS

1. ROLL CALL

ALL WERE PRESENT EXCEPT DHILLON.

2. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

- a. **CP05-005**. Conditional Use Permit to allow a vacant Public School to be used for Private School purposes on a 1.5 gross acres site in the R-1-8 Single-Family Residence Zoning District, located on southwest corner of Shawnee Lane and Mescalero Drive (500 SHAWNEE LN) (Oak Grove S D, Owner). Council District 2. SNI: None. CEQA: Exempt.

DEFERRED TO 6-15-05 (6-0-1; DHILLON ABSENT)

- b. **CP05-006**. Conditional Use Permit request to allow a private school(Challenger School, preschool – 8th Grade) on the 6.3-acre site of a former public elementary school (Lone Hill School) in the R-1-8 Single-Family Residence Zoning District, located on the west side of Harwood Road, approximately 200 feet northerly of Michon Drive (4949 HARWOOD RD) (Union S D, Owner). Council District 9. SNI: None. CEQA: Exempt.

DEFERRED TO 6-15-05 (6-0-1; DHILLON ABSENT)

3. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. CP04-097. Conditional Use Permit request to allow a wireless communication antenna and emergency backup generator within a new free standing bell tower on a 2.35 gross acres site in the R-1-8 Single-Family Residence Zoning District, located on the southwest corner of Union Avenue and Willester Avenue (3151 UNION AV) (Presbytery of San Jose, Owner). Council District 9. SNI: None. CEQA: Exempt. Deferred from 05-25-05.

APPROVED (6-0-1; DHILLON ABSENT)

PULLED FROM CONSENT BY MEMBER OF PUBLIC. GIVEN CONCERN REGARDING NOISE AND POSSIBLE INTERFERENCE FROM ANTENNA. APPLICANT CLARIFIED NOISE WOULD MEET CITY STANDARD AT THE PROPERTY LINE, AND THAT FREQUENCY OF ANTENNAS IS DIFFERENT FROM HOME APPLIANCES AND WON'T CONFLICT. COMMISSIONER JAMES COMMENTED THAT IN A PRIOR HEARING ON AN ANTENNA INSTALLATION AN ENGINEER HAD COMMENTED A HAIR DRYER WOULD HAVE A GREATER LEVEL OF RADIATION IN THE HOME. THE APPLICANT INDICATED THE PROPOSED ANTENNA WOULD OPERATE UNDER 2½% OF THE APPLICABLE FEDERAL GUIDELINES FOR ALLOWABLE RADIATION LEVELS, AND COMMENTED THE PROPOSAL IS A VERY LOW-POWERED FACILITY. COMMISSIONER PLATTEN COMMENDED THE CITIZEN FOR COMING FORWARD TO BE AT THE HEARING TO EXPRESS CONCERNS, AND RECOMMENDED THAT IN THE FUTURE, MANY QUESTIONS CAN BE ADDRESSED BY STAFF EARLY IN THE PROCESS.

The following items are considered individually.

4. PUBLIC HEARINGS

NONE

5. CONTINUE SPRING HEARING ON GENERAL PLAN FROM JUNE 2, 2005

6. GENERAL PLAN CONSENT CALENDAR

NONE

7. GENERAL PLAN PUBLIC HEARING CALENDAR

- a. The following items are located on a 332-acre site in an area generally bounded by Cottle Road to the west, Monterey Highway to the east, State Route 85 and Manassas Road to the south, otherwise known as the **Hitachi Campus** (5600 Cottle Road). (Hitachi GST Owner/Applicant) Council District 2. SNI: None. CEQA: EIR Resolution to be adopted.
 1. **CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT (EIR)** to change the Land Use/Transportation designation to Mixed Use with No Underlying Designation, update the General Plan Mixed Use Inventory Appendix F, change the maximum height to 120 feet and to designate one or more arterials on the Transportation

Diagram (GP04-02-01, GPT04-02-01, GP04-02-02, GPT04-02-02). The EIR also allows a Planned Development Rezoning and Development Agreement for the reconfiguration and entitlement of up to 3.6 million square feet of industrial uses, up to 2,930 residential units, up to 460,000 square feet of commercial uses, an up to 13 acre public park and the Edenvale Area Development Policy Modification to provide for inclusion and development of the site (PDC04-031, DA-Hitachi).

CERTIFY EIR (6-0-1; DHILLON ABSENT)

RESIDENTS FROM THE MAKATI CIRCLE NEIGHBORHOOD SPOKE IN SUPPORT OF THE PROJECT, COMMENTING THE PROJECT WAS WELL THOUGHT OUT WITH NEIGHBORHOOD RETAIL, HIGH DENSITY HOUSING NEAR TRANSIT, GREEN SPACES, CONSERVATION OF HISTORIC BUILDINGS, A TOWN CENTER CONCEPT, AND AN UNDERCROSSING TO CALTRAIN. ONE RESIDENT NOTED THAT THERE WAS ONGOING DIALOGUE WITH THE APPLICANT REGARDING PASS-THROUGH TRAFFIC CONCERNS, BUT NOTED ACCESS BETWEEN NEIGHBORHOODS WOULD BE IMPORTANT TO ALLOW ACCESS TO EXISTING SCHOOLS FOR NEW STUDENTS. MEMBERS OF THE HOUSING ACTION COALITION SUPPORTED THE PLAN NOTING THAT MIXED-USES WOULD BE LOCATED PROXIMATE TO TRANSIT, AND THAT PROPOSED INTENSIFICATION OF THE INDUSTRIAL CORE WOULD ALLOW THE SITE TO TRANSFORM WITHOUT A LOSS OF JOBS. REPRESENTATIVE OF THE SILICON VALLEY LEADERSHIP GROUP SUPPORTED THE PROJECT AND COMMENTED THAT A RECENTLY-CONDUCTED SURVEY OF INDUSTRIAL BUSINESS HAD AFFORDABLE HOUSING AVAILABILITY AS A THE TOP CONCERN, AND THAT THIS PLAN NEAR TRANSIT WILL PROVIDE IDEALLY SUITED HOUSING.

ANOTHER AREA RESIDENT COMMENTED THAT THERE IS A LOT OF GOOD IN THE PLAN, AND HAVING A “MAIN STREET” TYPE SHOPPING AREA WILL BE GOOD FOR RESIDENTS, BUT THAT PROPOSED 120-FOOT HEIGHT IS TOO HIGH AND FOUR STORIES AND 65 FEET COULD BE MORE APPROPRIATE, PROJECT COULD BE SCALED BACK SINCE NO NEED FOR MORE BIG BOX IN AREA, AND UP TO 5000 TREES ON SITE SHOULD BE PRESERVED WHENEVER POSSIBLE.

COMMISSIONERS ZITO, JAMES AND LEVY NOTED THEY HAD HAD AN OPPORTUNITY TO TOUR THE SITE WITH THE APPLICANT. COMMISSIONER ZITO QUESTIONED THE APPLICANT REGARDING MITIGATIONS IN THE EIR IDENTIFIED AS “NOT PROPOSED BY THE PROJECT”, ASKING IF THEY WERE NOW PROPOSED. STAFF CLARIFIED THAT THE EIR MITIGATIONS WERE INCORPORATED AS REQUIREMENTS IN THE CONDITIONS OF APPROVAL FOR THE REZONING. COMMISSIONER LEVY ASKED AGAIN FOR CLARIFICATION THAT ALL FEASIBLE MITIGATION HAD BEEN REQUIRED FOR THE PROJECT, AND STAFF CONCURRED. COMMISSIONER ZITO ALSO INQUIRED ABOUT THE POSSIBLE EIR MITIGATIONS SHOWN REGARDING FUTURE DAY CARE NEAR THE INDUSTRIAL CORE. STAFF CLARIFIED THAT RETENTION AND VIABILITY OF THE INDUSTRIAL USE IS THE PRIMARY FOCUS AND STAFF WOULD NOT SUPPORT A DAYCARE FACILITY IF IT WOULD RESTRICT INDUSTRIAL USES. COMMISSIONER ZITO THEN COMMENTED THAT IF IT CAME TO A CHOICE,

WOULD THE CITY DENY CHILD CARE IN ORDER TO PROTECT INDUSTRIAL USERS IN THE EVENT OF A CONFLICT, AND STAFF CONCURRED.

COMMISSIONER JAMES ASKED THE APPLICANT IF BUILDING DESIGNS AND MATERIALS WOULD BE USED TO ADDRESS THE CITY'S POLICY REGARDING PROXIMITY TO HIGH PRESSURE GAS LINES, TO WHICH THE APPLICANT CONCURRED. COMMISSIONER JAMES ALSO COMMENTED THAT THE PROJECT COULD POTENTIALLY AFFECT AREA SCHOOLS, TO WHICH THE APPLICANT RESPONDED THAT THEY HAVE BEEN WORKING CLOSELY WITH THE SCHOOL DISTRICTS TO BUILD A RELATIONSHIPS FOR THE FUTURE AND DISCUSSIONS HAD OCCURRED REGARDING FUTURE USE OF DEVELOPER SCHOOL IMPACT FEES, AND ALSO STATED THE HIGH DENSITY NATURE OF THE PROJECT WOULD GENERATE FEWER STUDENTS THAN OTHER HOUSING TYPES.

COMMISSIONER JAMES COMMENTED THAT THE SITE HAS A VERY LARGE NUMBER OF BEAUTIFUL MATURE TREES, AND ASKED ABOUT THE RELOCATION STRATEGY. THE APPLICANT RESPONDED THAT PERIMETER TREES NOW VIEWED BY THE PUBLIC WILL BE RETAINED, THAT ON-SITE OAKS WILL BE WORKED AROUND, AND THAT OTHER TREES COULD BE RELOCATED AND A CONSULTANT HAS BEEN RETAINED TO LOOK AT COSTS AND FEASIBILITY. COMMISSIONER LEVY NOTED THAT ORCHARD TREES BELOW ORDINANCE-SIZE WERE NOT PROPOSED TO BE MITIGATED, AND STAFF RESPONDED THAT BIG ORCHARD TREES SUCH AS WALNUTS, WOULD BE REPLACED OR RETAINED, AND THAT ADDITIONAL TREES WILL BE PLANTED ON-SITE ON WHAT IS NOW A PARKING LOT.

COMMISSIONER ZITO ASKED FOR CLARIFICATION ON THE HISTORIC SPINE CONCEPT BEING PRESERVED. THE APPLICANT CLARIFIED THAT ORIGINAL CAMPUS WAS DESIGNED LESS FOR BUILDINGS AND MORE FOR THE CAMPUS SETTING, AND THE ORIENTATION OF THE BUILDINGS AND TREES AND LANDSCAPING TO PROVIDE A PEDESTRIAN EXPERIENCE, AND THAT THE PEDESTRIAN SPINE WOULD ACTUALLY BE EXPANDED AND SOME ADDITIONAL ORCHARD-STYLE PLANTING WOULD BE INCLUDED. COMMISSIONER ZITO COMMENTED THAT THERE WAS NO REAL PLAN TO KEEP THE ACTUAL BUILDINGS OR BUILDING FAÇADE, TO WHICH THE APPLICANT RESPONDED THAT WAS CORRECT BUT THE ONLY INDEPENDENTLY-HISTORICALLY SIGNIFICANT BUILDING (9/11) IS PROPOSED TO BE MAINTAINED AND THAT MAINTAINING MORE EXISTING STRUCTURES WOULD REDUCE ABILITY TO RETAIN 3.6 MILLION SQUARE FEET OF INDUSTRIAL ON THE SITE.

COMMISSIONER JAMES NOTED AND RECOMMENDED THAT PHOTOVOLTAICS WERE IDENTIFIED IN THE EIR AS POSSIBLE TO BE APPLIED IN NEW INDUSTRIAL DEVELOPMENT, AND APPLICANT CONCURRED PLAN TO DO SO.

STAFF CLARIFIED THAT ONE SPEAKER'S COMMENTS ABOUT AIR QUALITY WERE ADDRESSED IN EIR AND THAT ANALYSIS IS BASED ON TRAFFIC ANALYSIS DEVELOPED WITH STAFF INPUT. THE COMMISSION THEN CERTIFIED THE EIR.

2. [GP04-02-01](#). GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Industrial Park to Mixed Use With No Underlying Designation.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

COMMISSIONER LEVY OPENED DISCUSSION ON ITEMS 7a.2-7, AND COMMISSIONER JAMES APPLAUDED THE APPLICANT ON POSITIVE ATTRIBUTES OF PROJECT WHICH PROVIDES A NEW LOOP RAMP, MOVES INDUSTRIAL ENTRANCE TO GREAT OAKS, CONSTRUCTS A PEDESTRIAN TUNNEL TO CALTRAIN, BUILDS A 10+ ACRE PARK, REUSES HISTORIC BUILDING 9/11, BUILDS 586 AFFORDABLE UNITS AND PLANS TO INCORPORATE PHOTOVOLTAICS IN NEW INDUSTRIAL BUILDINGS. COMMISSIONER JAMES FURTHER COMMENTED THAT THERE WAS A LARGE AMOUNT OF COMMUNITY OUTREACH, AND THAT SUPPORTIVE COMMENTS FROM AREA RESIDENTS SHOW GOOD OUTREACH OCCURRED. COMMISSIONER CAMPOS CONCURRED AND COMMENTED THAT THE STATEMENT BY THE MAKATI CIRCLE RESIDENTS THAT THEY ARE IN PARTNERSHIP WITH APPLICANT INDICATES THE PLANNING PROCESS IS WORKING WELL, AND COMMENDED THE APPLICANT FOR WORKING WITH NEIGHBORHOOD.

COMMISSIONER ZITO CONCURRED, AND NOTED THAT ONGOING DIALOGUE REGARDING SCHOOLS IS VERY IMPORTANT, THAT MORE WORK ON THE SITE PLAN TO FURTHER SPREAD MIXED-USES ACROSS THE STREET, ESPECIALLY ADDING MORE TRANSIT ACCESSIBILITY AND PARK LAND TO SOUTHERN RESIDENTIAL AREA. COMMISSIONER LEVY CONCURRED WITH PRIOR COMMENTS, NOTING PARTICULARLY THAT THIS PLAN SIMULTANEOUSLY PROVIDES HOUSING AND MAINTAINS INDUSTRIAL JOBS, BUT BELIEVES MORE PARKLAND COULD BE INCORPORATED, POSSIBLY IN A LINEAR PARK ALIGNED WITH THE PGE EASEMENT, THAT A FOCAL POINT OR TOWN SQUARE COULD BE APPROPRIATE IN SOUTHERN HOUSING AREA, AND SUGGESTED SWIMMING POOLS WOULD BE ANOTHER GOOD AMENITY. THE APPLICANT CONCURRED COMMISSIONERS HAD GOOD COMMENTS AND THAT ADDITIONAL WORK WOULD HAPPEN AT PD PERMIT STAGE.

COMMISSIONER LEVY COMMENDED APPLICANT ON GOOD PROJECT THAT SUPPORTS HOUSING INDUSTRY AND TRANSIT. COMMISSIONER ZITO COMMENTED THAT THERE COULD BE A RELUCTANCE TO SUPPORT A PROJECT WHICH WILL MAKE SO MANY SIGNIFICANT CHANGES BUT THAT ABSENCE OF SIGNIFICANT COMMUNITY OPPOSITION SUGGESTS APPLICANT WORKING WELL WITH AREA RESIDENTS. COMMISSIONER PLATTEN COMMENTED THAT HE WHOLE-HEARTEDLY SUPPORTED THE PROJECT WHICH REPRESENTS A VISION OF TOMORROW INCORPORATING MIXED-USE, TRANSIT AND A HUGE AMOUNT OF OUTREACH.

THE COMMISSION VOTED TO RECOMMEND APPROVAL OF ITEMS 7.a. 2-7 IN ONE MOTION.

3. **GPT04-02-01**. GENERAL PLAN TEXT AMENDMENT request to update the General Plan Mixed Use Inventory, Appendix F, and to change the maximum height across the site from 50 feet to 120 feet.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

4. **GP04-02-02 and GPT04-02-02**. GENERAL PLAN AMENDMENT AND GENERAL PLAN TEXT AMENDMENT designate one or more arterials on the General Plan Land Use/Transportation Diagram.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

5. **APPROVAL OF THE EDENVALE AREA DEVELOPMENT POLICY MODIFICATION** to provide for inclusion of the site and development of up to 3.6 million square feet of industrial uses, up to 2,930 residential units and up to 460,000 square feet of commercial uses.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

6. **PDC04-031**. APPROVAL OF AN ORDINANCE on a Planned Development Rezoning from IP Industrial Park to IP(PD) Planned Development Zoning District to allow the reconfiguration and entitlement of up to 3.6 million square feet of industrial uses and to allow up to 2,930 residential units, up to 460,000 square feet of commercial uses and an up to 13 acre public park.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

7. **DA-HITACHI**. APPROVAL OF A DEVELOPMENT AGREEMENT to allow the reconfiguration and entitlement of up to 3.6 million square feet of industrial uses and to allow up to 2,930 residential units, up to 460,000 square feet of commercial uses and an up to 13 acre public park.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

- b. Public Hearing on the following items located within an area generally bounded by Coleman Avenue and Empire Street on the north, 4th Street through 7th Street on the east, Interstate 280 on the south and White Street and Stockton Avenue on the west (Multiple Owners/City of San Jose Redevelopment Agency, Applicant). Council District 3. SNI: None. CEQA: EIR Resolution to be adopted.

1. **CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT (EIR)** providing environmental clearance for the following actions: Adoption of San Jose Downtown Strategy 2000; Adoption of the Diridon/Arena Area Strategic Development Plan; Adoption of the South First Area (SoFA) Strategic Development Plan, approval of a proposal to amend the General Plan Land Use/Transportation Diagram designations from Combined Industrial/Commercial to General Commercial; Public/Quasi-Public, Office, Light Industrial with Mixed Industrial Overlay; and Public Park/Open Space on a 47.72-acre site and approval of amendments to the text of the San Jose 2020 General Plan to:

- a. Expand the Downtown Core Area Boundary;
- b. Expand downtown traffic level of service (LOS) exemption area to allow intersections within new Core to operate at capacity;
- c. Amend the General Plan to state that building height in these areas will be defined by the airspace requirements of the Federal Aviation Administration (FAA) Regulations instead of specific heights and floor area ratios (FAR); and
- d. Amend the text of Midtown Planned Residential Community to reflect the proposed San Jose Downtown Strategy Plan 2000.

CERTIFY EIR (6-0-1; DHILLON ABSENT)

IN RESPONSE TO PUBLIC TESTIMONY REGARDING THE DRAFT EIR, STAFF STATED THAT MOST OF THE 14 PROPOSED GATEWAY CORRIDOR PROTECTED INTERSECTIONS WERE ON ONE-WAY "COUPLET STREETS" SUCH AS 3RD/4TH AND 10TH/11TH STREETS THAT WERE APPROVED FOR CONVERSION TO TWO-WAY TRAFFIC IN THE CITY COUNCIL-APPROVED DOWNTOWN TRANSPORTATION ACCESS STUDY. THE TRAFFIC IMPACTS PROJECTED IN THE EIR ARE A RESULT OF THE COMBINED EFFECTS OF THE FUTURE GROWTH PROPOSED IN THE DOWNTOWN STRATEGY PLAN AND THE REDUCTION IN TRAFFIC CAPACITY OF THOSE STREETS, CONSISTENT WITH THE APPROVED STUDY AND THE DESIRES OF THE AFFECTED NEIGHBORHOODS TO REDUCE THROUGH TRAFFIC AND CREATE MORE LIVABLE, PEDESTRIAN-ORIENTED STREETS. REGARDING PUBLIC NOTIFICATION OF THE EIR, STAFF STATED THAT THE PUBLIC NOTIFICATION REGARDING THE DRAFT EIR INCLUDED DISTRIBUTION OF THE NOTICE OF PREPARATION TO RELEVANT PUBLIC AGENCIES AND TO RESIDENTS AND PROPERTY OWNERS WITHIN 1000 FEET OF THE PROJECT AREA, CIRCULATION OF THE DRAFT EIR FOR PUBLIC REVIEW FROM MARCH 25 – APRIL 16, 2005, AND PUBLICATION OF THE ANNOUNCEMENT OF PUBLIC CIRCULATION OF THE EIR IN THE SAN JOSE MERCURY NEWS. NOTICE OF THE PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND CITY COUNCIL REGARDING THE PROPOSED STRATEGY PLANS AND GENERAL PLAN AMENDMENTS WAS PUBLISHED IN THE SAN JOSE MERCURY NEWS AND MAILED TO RESIDENTS AND PROPERTY OWNERS WITHIN AND ADJACENT TO THE AREAS AFFECTED BY THE PROPOSED GENERAL PLAN AMENDMENTS. IN RESPONSE TO A QUESTION FROM COMMISSIONER ZITO, STAFF STATED THAT PROPERTY OWNERS WITHIN 1000 FEET OF THE PROPOSED GATEWAY CORRIDOR PROTECTED INTERSECTIONS WERE NOT SENT A NOTICE OF THE EIR AND THE PROPOSED PROJECT.

2. **ADOPTION OF THE DOWNTOWN STRATEGY PLAN 2000** which provides a long-range conceptual program for revitalizing the traditional Downtown and expanding the Greater Downtown Core Area and land use intensities to the west and north into areas that are presently undeveloped and underutilized. The amount of development anticipated to occur in the expanded Greater Downtown Core Area during the planning horizon of Strategy 2000 includes 8,000,000 to 10,000,000 square feet of office space; and 2,000 to 2,500 guest rooms of hotel space, in four to five hotel projects.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

THE PLANNING COMMISSION HELD SEPARATE DISCUSSIONS REGARDING THE THREE PROPOSED STRATEGY PLANS, THE TRANSPORTATION IMPACT POLICY AMENDMENT AND THE GENERAL PLAN AMENDMENTS.

REGARDING THE DOWNTOWN STRATEGY PLAN 2000, COMMISSIONER LEVY STATED THAT THE PLAN INCLUDED A GREAT VISION FOR THE FUTURE DEVELOPMENT OF DOWNTOWN, BUT THAT THE CONTEXT OF THE PLAN IS OUTDATED, SINCE IT WAS PREPARED SEVERAL YEARS AGO. HE RECOMMENDED THAT THE INTRODUCTION TO THE PLAN BE UPDATED TO REFLECT CURRENT CIRCUMSTANCES IN THE DOWNTOWN AND THE CITY. DENNIS KORABIAK FROM THE REDEVELOPMENT AGENCY STATED THAT THE STRATEGY PLAN IS MORE OF A LONG-RANGE PLAN TO GUIDE FUTURE DEVELOPMENT IN THE DOWNTOWN, RATHER THAN ONLY A PLAN TO THE YEAR 2010 AND THAT THE OTHER PLANS, INCLUDING THE DIRIDON/ARENA, SOFA AND OTHER NEIGHBORHOOD PLANS HAVE BEEN ADOPTED MORE RECENTLY. COMMISSIONER ZITO AGREED THAT THE PLAN OUTLINES A GOOD VISION FOR THE FUTURE OF THE DOWNTOWN, AND HE ENCOURAGED THAT THE PLAN BE FOLLOWED RATHER THAN ALLOWING ACTIONS CONTRARY TO THE PLAN IN RESPONSE TO SHORT-TERM DEVELOPMENT PRESSURES.

3. **ADOPTION OF THE DIRIDON/ARENA AREA STRATEGIC DEVELOPMENT PLAN** which is located in the area generally bounded by the Union Pacific/Joint Powers Board railroad tracks on the north, the Guadalupe River on the east, Park Avenue on the south and White Street and Stockton Avenue. The proposed plan would provide greater detail to the Downtown Strategy Plan 2000 and provide for an integrated transportation hub, encourage transit ridership and pedestrian activity through land use decisions, provide an appropriate level of parking, protect adjacent neighborhoods from negative impacts and create new public amenities for residents and workers in the area.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

IN REGARDS TO THE PROPOSED DIRIDON/ARENA STRATEGIC PLAN, COMMISSIONER JAMES STATED SUPPORT FOR THE PLAN, NOTING THE IMPORTANCE OF CREATING A TRANSIT HUB AND UPGRADING THE HISTORIC DIRIDON STATION. COMMISSIONER LEVY CONCURRED AND HIGHLIGHTED THE IMPORTANCE OF THE RIPARIAN CORRIDOR PROTECTION POLICIES IN THE PLAN.

4. **ADOPTION OF THE SOUTH FIRST AREA (SoFA) STRATEGIC DEVELOPMENT PLAN** which is generally bounded on the north by a line approximately 250 feet north and parallel of San Carlos Street, 5th Street and San Jose State University and a mid-block line between South 3rd and South 4th Street on the east, Interstate 280 on the south, and a line west of Market Street and Almaden Blvd. on the west. Adoption of the proposed plan would provide a focus on urban design and public policy issues including the expansion of the Convention Center, development and redevelopment of properties in the area, streetscape projects and programs, circulation and parking, entertainment and marketing activities.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

THE PLANNING COMMISSION HAD NO COMMENTS REGARDING THE PROPOSED SOFA SOUTH FIRST AREA STRATEGIC DEVELOPMENT PLAN.

5. **ADOPTION OF AN AMENDMENT TO THE CITY COUNCIL TRANSPORTATION IMPACT POLICY** to adopt special Gateway Corridor study areas to exempt the following intersections from traffic mitigation requirements: 10th/Hedding, 10th/Julian, 10th/Taylor, 11th/St James, 11th/Julian, 11th/St. John, 11th/Santa Clara, 11th San Antonio, 10th/St. James, 10th/Reed, 7th/Virginia, 4th/ Jackson, Almaden/Virginia and Vine/Grant.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

IN REGARDS TO THE PROPOSED AMENDMENT TO THE CITY COUNCIL TRANSPORTATION IMPACT POLICY, COMMISSIONER ZITO EXPRESSED CONCERN ABOUT THE FUTURE POTENTIAL OVERUSE OF THE “TOOL” OF CREATING PROTECTED INTERSECTIONS, THAT AREA RESIDENTS DON’T UNDERSTAND THE CONCEPT AND THAT MORE PUBLIC OUTREACH AND EDUCATION WAS NECESSARY. IN RESPONSE, STAFF STATED THAT THE TRANSPORTATION IMPACT POLICY REVIEWED AND RECOMMENDED BY THE PLANNING COMMISSION ON JUNE 2, INCLUDES CRITERIA FOR THE ESTABLISHMENT OF PROTECTED INTERSECTIONS, INCLUDING THAT THE INTERSECTION MUST BE LOCATED IN A TRANSIT-ORIENTED DEVELOPMENT CORRIDOR (TOD), TRANSIT STATION AREA, PLANNED COMMUNITY, OR NEIGHBORHOOD BUSINESS DISTRICT (NBD), MUST BE FULLY BUILT-OUT AND THAT POTENTIAL INTERSECTION IMPROVEMENTS WOULD CREATE ADVERSE IMPACTS TO EXISTING OR PLANNED TRANSIT, PEDESTRIAN OR BICYCLE FACILITIES, NEARBY LAND USES OR LOCAL NEIGHBORHOODS. STAFF FURTHER STATED THAT EXTENSIVE OUTREACH AND NUMEROUS MEETINGS HAD BEEN HELD WITH THE RESIDENTS IN AREAS SURROUNDING THE AFFECTED INTERSECTIONS AND THAT THE CONCEPT FOR PROTECTED INTERSECTIONS WAS CREATED FROM DISCUSSIONS WITH NEIGHBORHOOD RESIDENTS DESIRING TO REDUCE THE IMPACTS FROM INCREASED TRAFFIC, PARTICULARLY THROUGH TRAFFIC, IN THEIR NEIGHBORHOODS. MANUEL PINEDA FROM THE DEPARTMENT OF TRANSPORTATION STATED THAT THE EIR IDENTIFIES THAT APPROXIMATELY 50% – 60% OF THE PROJECTED FUTURE TRAFFIC FROM THE DOWNTOWN STRATEGY PLAN IS THROUGH TRAFFIC NOT GENERATED IN THE DOWNTOWN NEIGHBORHOODS. THE COMMISSION VOTED 6-0-1 (COMMISSIONER DHILLON, ABSENT) TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE PROPOSED AMENDMENT TO THE TRANSPORTATION IMPACT POLICY TO ADOPT A SPECIAL DOWNTOWN GATEWAY CORRIDOR DESIGNATION AND IDENTIFY 14 INTERSECTIONS WITHIN THESE GATEWAY CORRIDORS AS PROTECTED INTERSECTIONS UNDER THE POLICY. COMMISSIONER ZITO STATED THAT STAFF SHOULD CONDUCT FURTHER OUTREACH IN THE FUTURE REGARDING THE DEVELOPMENT AND THE TRAFFIC IMPACTS RESULTING FROM THE DOWNTOWN STRATEGY PLAN.

6. **GP05-03-01**. GENERAL PLAN AMENDMENT request to amend the General Plan Land Use/Transportation Diagram designation from Combined Industrial/Commercial to General Commercial, Public/Quasi-Public, Office, Light Industrial with Mixed Industrial Overlay, and Public Park/Open Space on a 47.72-acre site generally bounded by West Santa Clara Street on the south, Stockton Avenue and the Caltrain railroad tracks on the west, Cinnabar Street and Union Pacific Railroad tracks on the north and Guadalupe Freeway and Guadalupe River on the east.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

THE PLANNING COMMISSION HAD NO COMMENTS REGARDING THE PROPOSED GENERAL PLAN LAND USE DIAGRAM (GP05-03-01A-E) AND TEXT AMENDMENTS (GPT05-03-01).

7. **GPT05-03-01**. GENERAL PLAN TEXT AMENDMENT to:
- Expand the Downtown Core Area Boundary;
 - Expand downtown traffic level of service (LOS) exemption area to allow intersections within new Core to operate at capacity;
 - Amend the General Plan to state that building height in these areas will be defined by the airspace requirements of the Federal Aviation Administration (FAA) Regulations instead of specific heights and floor area ratios (FAR); and
 - Amend the text of Midtown Planned Residential Community to reflect the proposed San Jose Downtown Strategy Plan 2000.

RECOMMEND APPROVAL (6-0-1; DHILLON ABSENT)

8. CONTINUE PLANNING COMMISSION HEARING ON THE 2005 SPRING GENERAL PLAN AMENDMENTS FROM JUNE 6, 2005

9. PETITIONS AND COMMUNICATIONS

- Public comments to the Planning Commission on nonagendized items. Please fill out a speaker's card and give it to the technician. Each member of the public may address the Commission for up to three minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:
 - Responding to statements made or questions posed by members of the public; or
 - Requesting staff to report back on a matter at a subsequent meeting; or
 - Directing staff to place the item on a future agenda.

10. **REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES**

11. **GOOD AND WELFARE**

- a. Report from City Council
- b. Commissioners' reports from Committees:
 - Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Dhillon and James).

NO NEW MEETINGS

- Coyote Valley Specific Plan (Platten)

NO NEW MEETINGS

- c. **Review of synopsis**

NO COMMENTS ON SYNOPSES FOR MAY 25, 2005 OR JUNE 2, 2005

12. **ADJOURNMENT**

2005 PLANNING COMMISSION MEETING SCHEDULE

January 12	5:00 p.m. - 6:00 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Meeting Logistics</i>	
January 12	6:00 p.m.	Regular Meeting	Council Chambers
January 26	6:00 p.m.	Regular Meeting	Council Chambers
Monday, February 7	4:45 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Jobs/Housing Imbalance</i>	
Monday, February 7	6:00 p.m.	Regular Meeting	Council Chambers
February 23	6:00 p.m.	Regular Meeting	Council Chambers
March 9	4:45 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of General Plan Amendments/development projects</i>	
March 9	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
March 23	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, April 11	CANCELLED	<i>Study Session</i>	Room 400
		<i>Discussion of Alcohol sales</i>	
Monday, April 11	6:00 p.m.	Regular Meeting	Council Chambers
April 27	6:00 p.m.	Regular Meeting	Council Chambers
Monday, May 2	4:00 p.m.	<i>Study Session</i>	Room 216B
		<i>Review CIP</i>	
Monday, May 2	6:00 p.m.	Regular Meeting	Council Chambers
May 11	4:00 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Parks planning strategy (Joint session with Parks Commission)</i>	
May 11	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
May 25	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Thursday, June 2	5:00 p.m.	<i>Study Session</i>	Room 106E
		<i>Discussion of Jobs/Housing/Transportation Policy Update</i>	
Thursday, June 2	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, June 6	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Tuesday, June 7	6:30 p.m.	General Plan/Regular Meeting	Health Bldg. Rm. 202A/B
June 8	CANCELLED	Regular Meeting	Council Chambers
Wednesday, June 15	6:00 p.m.	Regular Meeting	Council Chambers
June 22	6:00 p.m.	Regular Meeting	Council Chambers
July 13	6:00 p.m.	Regular Meeting	Council Chambers
July 27	6:00 p.m.	Regular Meeting	Council Chambers
August 10	6:00 p.m.	Regular Meeting	Council Chambers
August 24	6:00 p.m.	Regular Meeting	Council Chambers
September 14	6:00 p.m.	Regular Meeting	Council Chambers
September 28	6:00 p.m.	Regular Meeting	Council Chambers
October 12	6:00 p.m.	Regular Meeting	Council Chambers
October 26	6:00 p.m.	Regular Meeting	Council Chambers
November 9	6:00 p.m.	Regular Meeting	Council Chambers
November 16	6:00 p.m.	Regular Meeting	Council Chambers
December 7	6:00 p.m.	Regular Meeting	Council Chambers